

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RE: BRADFORD BLAINE THACKREY)	
)	
U.S. Bank, N.A., its Successors)	
and/or Assigns)	
Creditor,)	Case No. 09-40918
)	Judge Kenneth J. Meyers
vs.)	
)	
BRADFORD BLAINE THACKREY,)	
Debtor,)	

MOTION TO MODIFY THE AUTOMATIC STAY

NOW COMES U.S. Bank, N.A., its Successors and/or Assigns, by and through its attorneys, Pierce & Associates, P.C., and requests that the Automatic Stay heretofore entered on the property located at 12528 North Sparrow Lane, Mount Vernon, IL, be Modified, stating as follows.

1. On May 29, 2009, the above captioned Chapter 13 was filed.
2. On August 14, 2009, the above captioned Chapter 13 was confirmed.
3. U.S. Bank, N.A., its Successors and/or Assigns services a mortgage lien on the property located at 12528 North Sparrow Lane, Mount Vernon, IL.
4. The Plan calls for the debtor to be the disbursing agent for the post-petition mortgage payments directly to U.S. Bank, N.A., its Successors and/or Assigns. Post-petition payments are \$514.67.
5. The post-petition mortgage payments are due and owing for August 2009. The default to U.S. Bank, N.A., its Successors

and/or Assigns is approximately \$2,861.04 through November 2009 including attorney's fees and costs of this motion.

6. The plan is in material default.
7. U.S. Bank, N.A., its Successors and/or Assigns continues to be injured each day it remains bound by the Automatic Stay.
8. U.S. Bank, N.A., its Successors and/or Assigns is not adequately protected.
9. No cause exists to delay the enforcement and implementation of relief and Bankruptcy Rule 4001(a)(3) should be waived.

WHEREFORE, YOUR MOVANT respectfully prays that the Automatic Stay on the property located at 12528 North Sparrow Lane, Mount Vernon, IL, be modified, and that Bankruptcy Rule 4001(a)(3) be waived as not applicable, and leave be granted to U.S. Bank, N.A., its Successors and/or Assigns to proceed with foreclosure, and for such other and further relief as this Honorable Court deems just.

U.S. Bank, N.A., its Successors
and/or Assigns

/s/Cheryl A. Considine_____
Cheryl A. Considine
ARDC#6242779
Pierce and Associates, P.C.
1 North Dearborn St., #1300
Chicago, IL 60602
(312)346-9088

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BRADFORD BLAINE THACKREY,)
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SUMMARY OF EXHIBITS

The following exhibit(s) pertain to the Relief of Stay filed by U.S. Bank, N.A., its Successors and/or Assigns on November 25, 2009:

1. Mortgage Documents.

/s/Cheryl A. Considine _____
Cheryl A. Considine
ARDC#6242779
Pierce and Associates, P.C.
1 North Dearborn St., #1300
Chicago, IL 60602
(312)346-9088

CERTIFICATE OF SERVICE

I, the undersigned, Attorney, Certify that I served a copy of all exhibits listed above were deposited in the United States Mail at 1 North Dearborn St., #1300, Chicago, IL 60602, at or before 5:00 p.m., on November 25, 2009, with proper postage prepaid as address to all parties on the service list for the Motion.

/s/Cheryl A. Considine
Cheryl A. Considine
ARDC#6242779